DRAFT

Minutes

Environmental Management Commission
Strategic Planning Ad Hoc Committee Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2059
December 12, 2008

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Convened: 10:00 a.m. Adjourned: 10:20 a.m.

Part A

Transcript

Part B

Attachment Index

Attachments 1-3



	Page 1		Page 3
		1	MR. WAINWRIGHT: I'd like to
		2	call the meeting of the Strategic
		3	Planning Ad Hoc Committee to order. The
	ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION	4	first item on our agenda is consideration
	STRATEGIC PLANNING AD HOC COMMITTEE MEETING	5	of the minutes from the meeting of
	Alabama Department of Environmental Management	6	October 17th of '08.
	Building	7	DR. LESTER: Move to approve
	Alabama Room (Main Hearing Room) 1400 Coliseum Boulevard	8	them as they were given to us.
	Montgomery, Alabama	9	MR. WAINWRIGHT: Motion to
		10	approve and seconded. All in favor?
		11	DR. LESTER: Aye.
	December 12, 2008 10:00 a.m.	12	MR. WAINWRIGHT: Aye.
		13	
			Motion carries.
		14	The next item is a
		15	discussion of the draft Unified Strategic
		16	Plan, and I'd like to ask the Director,
		17	if he would, to present the plan.
		18	MR. GLENN: Thank you very
		19	much, Chair Wainwright, Commissioner
		20	Lester. It's my pleasure to stand before
		21	you and talk about where we are on
		22	this this issue. I'd like to start
		23	with a quick review of how we got to
	Page 2		Page 4
1	COMMITTEE MEMBERS PRESENT:	1	where we are right now.
2	SAM H. WAINWRIGHT, P.E., CHAIR	2	And as you recall, a year
3	DR. JOHN H. LESTER	3	ago at the December Commission meeting in
4	DR. JOHN H. ELSTER	4	2007, the Strategic Planning Ad Hoc
5	COMMISSION MEMBERS NOT PRESENT:	5	Committee, of course, that you chair with
6	KENNETH A. HAIRSTON, ESQUIRE	1	Committee, or course, that you chan with
	REINING LID A. DAINS LOIN, ESCULIE	6	the members of Dr. Lester and Ken
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7		7	Hairston was formed with a stated goal of
7 8	ALSO PRESENT	7 8	Hairston was formed with a stated goal of putting together a plan and putting it
7 8 9	ALSO PRESENT ONIS "TREY" GLENN, III, ADEM DIRECTOR	7 8 9	Hairston was formed with a stated goal of putting together a plan and putting it before the Commission on this very day in
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1 (Pages 1 to 4)

	Page 5		Page 7
1	Commission in the June meeting and	1	Three specific ones are promulgating
2	discussed. And that's when the activity	2	rules, hearing appeals, and managing
3	commenced, when a lot of data collection	3	myself, the position of Director. I see
4	began, a lot of review of previous plans	4	the Department having two very key roles.
5	and issues.	5	Number one, implementing the policy you
6	At the August Commission	6	set. We do that through the management
7	meeting, we stopped and did a review of	7	of our permitting, compliance
8	where we were. We talked about the	8	determination, and enforcement systems
9	anticipated process, further process,	9	and programs mainly.
10	with the entire Commission, and more data	10	We also have a very
11	gathering and more work happened after	11	important role, which is to provide you
12	that. That all came together after input	12	with information that is necessary for
13	from stakeholders and others.	13	you to set policy. And so as you can
14	It came together in the	14	see, the Strategic Plan recognizes this
15	October Commission meeting where you were	15	relationship. It's depicted with a
16	presented with the results of all the	16	graphic on the screen here.
17	efforts to date in the form of a large	17	What I mean by that is, for
18	map that had the focus items on there	18	you to make decisions as Commission, you
19	that had been identified, as well as a	19	need to have information about what's
20	very, very rough draft of the concepts	20	been going on based on previous decisions
21	that could be presented in a unified	21	as well as any other factors, and we play
22	plan.	22	a role in providing that to you. For us
23	After discussion and	23	to know what to provide to you, we have
	Page 6		Page 8
1	continued work with the with	1	followed the policy that's set. So it
2	individual Commissioners, we prepared a	2	highlights the relationship and, again, I
3	draft plan that is now before you today.	3	think the strength of a Unified Strategic
4	I think you each have that plan. A copy	4	Plan as the direction that we have it.
5	of that plan was also provided to the	5	The plan highlights some key
6	members of the stakeholder meeting to	6	goals, strategies, and success factors
7	provide input as well.	7	that place a priority on the systems and
8	With that said, I'll now	8	processes that could be used to fulfill
9	switch over quickly to the plan itself	9	our goals and to enhance our operations
10	and that document. And you have a	10	and continue providing quality service
11	presentation here that this	11	and meeting our mission, which is
1 1 0		(19	
12	presentation's also available in the back	12	outlined in the legislature in the
13	for the audience as well.	13	passage of our act to assure for
13 14	for the audience as well. The plan provides a focus;	13 14	passage of our act to assure for Alabamians' safe, healthy, and productive
13 14 15	for the audience as well. The plan provides a focus; it provides a direction, one that I	13 14 15	passage of our act to assure for Alabamians' safe, healthy, and productive environment.
13 14 15 16	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be	13 14 15 16	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts
13 14 15 16 17	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be appropriate one that I'm personally	13 14 15 16 17	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts a highlight on compliance, 100 percent
13 14 15 16 17 18	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be appropriate one that I'm personally comfortable will be appropriate for a	13 14 15 16 17 18	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts a highlight on compliance, 100 percent compliance, and taking steps to encourage
13 14 15 16 17 18 19	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be appropriate one that I'm personally comfortable will be appropriate for a unified Commission department-level plan.	13 14 15 16 17 18	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts a highlight on compliance, 100 percent compliance, and taking steps to encourage that and to move toward that in
13 14 15 16 17 18 19 20	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be appropriate one that I'm personally comfortable will be appropriate for a unified Commission department-level plan. It clearly articulates the roles of each	13 14 15 16 17 18 19 20	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts a highlight on compliance, 100 percent compliance, and taking steps to encourage that and to move toward that in everything that we do. Last but not
13 14 15 16 17 18 19 20 21	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be appropriate one that I'm personally comfortable will be appropriate for a unified Commission department-level plan. It clearly articulates the roles of each group and, which as a refresher, is the	13 14 15 16 17 18 19 20 21	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts a highlight on compliance, 100 percent compliance, and taking steps to encourage that and to move toward that in everything that we do. Last but not least, the plan calls for, after passage
13 14 15 16 17 18 19 20	for the audience as well. The plan provides a focus; it provides a direction, one that I personally am comfortable with will be appropriate one that I'm personally comfortable will be appropriate for a unified Commission department-level plan. It clearly articulates the roles of each	13 14 15 16 17 18 19 20	passage of our act to assure for Alabamians' safe, healthy, and productive environment. The plan sets apart and puts a highlight on compliance, 100 percent compliance, and taking steps to encourage that and to move toward that in everything that we do. Last but not

Page 9)	Page 11
	1	ask Mr. Hagood to give us a brief
1 measurable actions to be developed that I 2 would envision being developed by the	2	explanation of the changes in the rules
3 Department, at least for the	3	that we have proposed. I also the
department-level actions that we would	4	timing on the adoption of these rules,
5 undertake to be presented to you as the	5	Debi, when do those when do we start
6 body of the Commission, either as a whole	6	the process? What's the date on that?
7 Commission or the Committee, whatever the	7	MS. THOMAS: The process
8 desires of the Commission are. You	8	will begin December the 17th when they're
9 recall using those words "Operating Plan"	9	submitted to the Legislative Reference
or "Annual Operating Plan" for that.	10	Service.
11 Again, Chair Wainwright,	11	MR. WAINWRIGHT: And when do
with that, that is a quick summary of	12	we propose to have the process completed?
where we where we've been and what the	13	MS. THOMAS: We will have
plan has in it. I'd be happy to answer	14	them hopefully on the April's Commission
any questions you have or discuss	15	Meeting Agenda, consideration for
any questions you have of discuss anything further you'd like me to.	16	adoption, and the effective date would be
17 MR. WAINWRIGHT: Mr. Glenn,	17	in May.
we appreciate all that you've done on	18	MR. WAINWRIGHT: All right.
this plan. You've carried the load on	19	MR. HAGOOD: Thank you,
it. Mr. Ashurst, it's been a pleasure	20	Commissioner Wainwright, Commissioner
21 working with you, and the Auburn Center	21	Lester. As requested by the Director
for Government has done a great job for	22	through this committee, two rule changes
us. And we really do appreciate it's	23	were drafted, one having to do with basic
Page 10		Page 12
been a year of hard work, but we really	1	promulgation of a Strategic Plan, and the
do appreciate what y'all have done.	2	other, how to incorporate the division of
3 I guess at this time we need	3	the Strategic Plan and any petition for
4 a motion to recommend this plan to the	4	rulemaking.
5 full Commission for adoption.	5	And I'll start with the
6 DR. LESTER: I'd make a	6	shortest one first, which would change
7 motion. Before I do that, I just want to	7	335-2-205, and that's the consideration
8 thank you Director Glenn and Mr. Ashurst.	8	of the petition. The only language that
9 It's good to work with people who know	9	was added there was you add an "h" to the
	10	•
(1) what they're doing. It's an integral	I LU	considerations that you make when you
what they're doing. It's an integral		considerations that you make when you consider passing a petition for a rule or
part; it's what the Commission wanted,	11	consider passing a petition for a rule or
part; it's what the Commission wanted, and there's a lot of, lot of questions	11 12	consider passing a petition for a rule or accepting a petition for a rule.
part; it's what the Commission wanted, and there's a lot of, lot of questions answered. Saying that, I make a motion	11	consider passing a petition for a rule or accepting a petition for a rule. And h would read, The
part; it's what the Commission wanted, and there's a lot of, lot of questions	11 12 13	consider passing a petition for a rule or accepting a petition for a rule.
part; it's what the Commission wanted, and there's a lot of, lot of questions answered. Saying that, I make a motion that we send this to the Commission.	11 12 13 14	consider passing a petition for a rule or accepting a petition for a rule. And h would read, The relevance and relation of the proposed rules to the most recent Unified
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	D 12		Daga 15
	Page 13		Page 15
1	going through the Director, we decided	1	MR. HAGOOD: Yes, sir. It
2	that you would need a beginning date,	2	gives you discretion. The "h," that
3	which Fiscal Year 2009 left us from	3	provision that was added, would be added
4	October to October we're close to	4	through any rule change, simply adds
5	being in the middle of and then gave	5	another consideration that you can make
6	you the authority to change the plan	6	when you consider a petition for rule
7	periodically but put limits on that: No	7	change.
8	more frequently than five years.	8	MR. WAINWRIGHT: You're
9	And I believe it was the	9	going to apply that same principle to the
10	wishes of the Commission that you don't	10	Strategic Plan?
11	get in a situation where you just plan to	11	MR. HAGOOD: Okay. I need
12	plan to plan to plan. And that five	12	to make sure I understand what you're
13	years was considered a suitable interval	13	asking.
14	in reference to the '04 plan being the	14	MR. WAINWRIGHT: Well, the
15	last plan that you had adopted.	15	principle is that if something's already
16	And the language considers	16	in process within the rule-change
17	all applicable statutes and regulations	17	procedure, we can deny a request for rule
18	and sets up a procedure whereby the	18	change.
19	Director would present to the Commission	19	MR. HAGOOD: Yes, sir.
20	notice of the intent to update the	20	MR. WAINWRIGHT: And you're
21	Unified Strategic Plan under which both	21	saying if it's included in this Strategic
22	the EMC and ADEM would operate. Notice	22	Plan and is timed for the future, we
23	contains basically what was given this	23	could also use that as a reason to deny a
	Page 14	***	Page 16
1	time, and that would be the departmental	1	request for rule change?
2	goals, the time line for development, and	2	MR. HAGOOD: Yes, sir. You
3	a brief explanation of how you're going	3	have a lot of broad discretionary power,
4	to create the new plan.	4	and when you consider a petition and
5	And the next time you do it,	5	the only only thing that that rule
6	it may be different than the way you did	6	does and of course you can consider
7	it this time. This rule would allow for	7	that at any time in any rulemaking. But
8	that leniency. And upon notice of the	8	that rule of which you speak speaks
9	receipt, then the Commission would take	9	directly to petitions for rulemaking, and
10	over and appoint an ad hoc committee,	10	all it does is add another consideration
11	which we have right now before us, to	11	you can make.
12	oversee the development and	12	And I believe that the
13	implementation. Then the Commission	13	intention was you would want petitions
14	would approve whatever plan came from	14	before you to focus on your focus, your
15	that process.	15	direction, and that was the reason you
16	Those those are the rules	16	wanted that consideration in with the
17	as as I drafted them.	17	other half dozen or so. But the
18	MR. WAINWRIGHT: This we	18	rulemaking procedure, of course, as you
19	have a provision in here that allows us	19	understand it, is very discretionary with
20	to deny a petition if there if	20	the Commission. Any other questions?
21	they if a rule that would apply to it	21	MR. WAINWRIGHT: No.
22	is already in process, a rule change is	22	MR. HAGOOD: Thank you,
23	already in process?	23	sirs.

1 DR. LESTER: Thank you. 1 2 MR. WAINWRIGHT: The next 2 3 item, I'd like to ask the Director if he 3 4 would give us a brief on the proposal for 4	with a Christmas tree this year this
2 MR. WAINWRIGHT: The next 2 3 item, I'd like to ask the Director if he 3	
3 item, I'd like to ask the Director if he	meeting for the season, but to very
,	clearly communicate what our mission is,
	what has been agreed to and highlighted
5 the rollout of this plan with regard to 5	by the Commission and now the Department
6 presenting it to the agency.	in a unified manner.
7 MR. GLENN: Yes, sir. And 7	Well, what are the major
8 as you and I have discussed specifically, 8	strategies? What are we moving toward?
9 in the private sector or anywhere else, a 9	We could do that through posters or
plan is only as good as how it's	presentations to our staff. We could
implemented and how it's communicated to 11	have a wallet card. You and I
folks, and I think we all can see very 12	specifically talked about wallet cards or
clear examples of that when we might go 13	one-pagers that people can reference all
into into different private businesses 14	the time and they can keep these thoughts
where they have plaques on the wall, 15	clear on our mind.
headers over the elevator where you're 16	And so we've even mocked up
riding, anything else where they're 17	some potential cards there where it's
communicating these principles, not only 18	clear to everyone what our mission is,
to their employees, but also to the	what our vision is, what is key key
20 customers or stakeholders that they 20	goals are as well, as well as Q-and-A
21 interact with.	sessions, deliberate meetings where these
And so as we have discussed, 22	things are discussed and presented to
23 it is going to be important, assuming the 23	staff members. Even external sessions
Page 18	Page 20
plan is adopted, to focus some energy on 1	where this plan is discussed and
2 how this plan is then communicated to the 2	presented to the to the public.
3 public and to my, of course, main 3	And, again, all focusing on
4 interest, my staff. Because what I spoke 4	this line of sight so that every staff
5 to in the presentation was creating a 5	member here can equate their actions or
6 focus and an alignment of our staff, all	what they're doing and see those in full
7 of us going in the same direction with 7	light of what's important to the
8 the Commission's desires, and that I	Commission and what's important to us as
9 feel we do that, but we always need to 9	the State of Alabama.
make sure we communicate to make sure 10	So with that said, let me
11 that happens.	restate what I said at first: The plan
So we came up with several 12	is only as good as how it's communicated.
different ideas of how we could roll this	And if this plan gets passed, it can be
out, focusing of course on the audiences 14	the best thing in the world; but if it
that I had I had mentioned. And we	sits on a self, it doesn't do any of us
have opportunities such as an employee's 16	any good. It's got to be implemented and
paycheck. There's white space on that 17	it's got to be communicated.
sometimes messages are placed on. We 18	We've laid out and I've
19 could place messages there.	just mentioned a handful. There are, of
20 I think we're all you 20	course, many more potential things we can
know, we could have banners hanging in 21	do to roll this out. But what we wanted
the lobby. We've seen our display board 22	to make sure we communicated to you is
before, which obviously we've replaced 23	we've heard you, we've had the

	D 01	7 22
	Page 21	Page 23
1	conversations, and we want to make sure	1
2	you know that we are focusing energy on	2 ******
3	how do we roll this out and communicate	3 REPORTER'S CERTIFICATE
4	that, because it needs to happen almost	4 ******
5	immediately.	5
6	MR. WAINWRIGHT: Okay.	6 STATE OF ALABAMA
7	Certainly do appreciate your developing	7 COUNTY OF MONTGOMERY
8	this plan for us, and I believe we're	8 I, Jenny Cone, Certified
9	probably ought to have a motion to	9 Court Reporter and Notary Public in and
10	endorse the plan, the rollout plan.	for the State of Alabama at Large, do
11	DR. LESTER: I make a motion	hereby certify that the foregoing is a
12	this committee endorse the plan as	true and accurate excerpt of the
13	submitted by the Director.	proceedings as taken stenographically by
14	MR. WAINWRIGHT: I'll second	me at the time and place aforementioned.
15	it. All in favor?	This 12th day of December,
16	DR. LESTER: Aye.	16 2008.
17	MR. WAINWRIGHT: All	17
18	opposed? Motion carries.	18
19	MR. GLENN: Thank you, sir.	19
20	MR. WAINWRIGHT: That	20 Jenny Cone
21	concludes our business, I believe. Is	21 Certified Court Reporter (Lic.
22	there any other business for the	22 #108) and Notary Public
23	committee?	23 State of Alabama at Large
	Page 22	
1	DR. LESTER: Move to	
2	adjourn.	
3	MR. WAINWRIGHT: We're	
4	adjourned.	
5	(The meeting was adjourned.)	
6	(The meeting was adjourned)	
7		
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1	
2	* * * * * * *
3	REPORTER'S CERTIFICATE
4	* * * * * * *
5	
6	STATE OF ALABAMA
7	COUNTY OF MONTGOMERY
8	I, Jenny Cone, Certified
9	Court Reporter and Notary Public in and
10	for the State of Alabama at Large, do
11	hereby certify that the foregoing is a
12	true and accurate excerpt of the
13	proceedings as taken stenographically by
14	me at the time and place aforementioned.
15	This 12th day of December,
16	2008.
17	
18	
19	genny Cone/ca
20	Jenny Cone
21	Certified Court Reporter (Lic.
22	#108) and Notary Public
23	State of Alabama at Large
	<u> </u>

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	-		

Part B

Attachment Index

Attachment 1 Agenda

Attachment 2 Order adopting motion to recommend to the full Commission

that they proceed with the adoption of the Unified Strategic

Plan

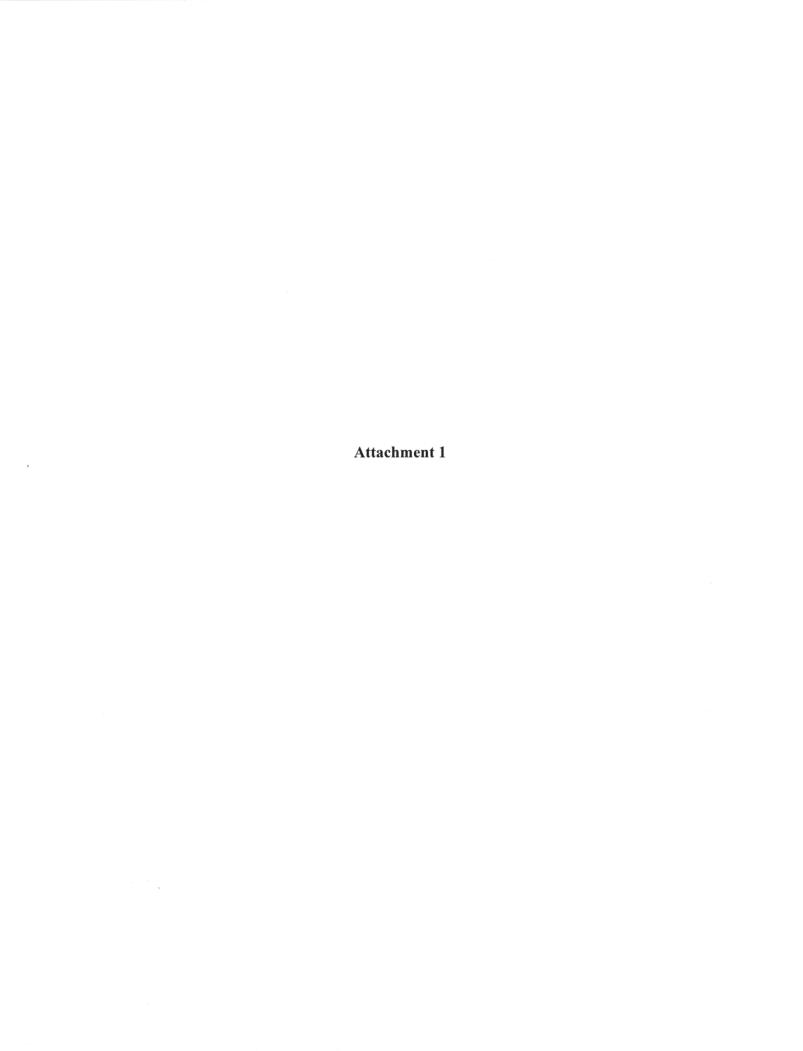
(Agenda Item 2 – Discussion of Draft Unified Strategic Plan)

Attachment 3 Order adopting motion that the Strategic Planning Ad Hoc

Committee endorses the Strategic Plan Rollout Plan as

presented by the Director

(Agenda Item 2 – Discussion of Draft Unified Strategic Plan)



*			

AGENDA*

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION STRATEGIC PLANNING AD HOC COMMITTEE MEETING Alabama Department of Environmental Management Building Alabama Room (Main Hearing Room)

1400 Coliseum Boulevard

Montgomery, Alabama 36110-2059

Friday, December 12, 2008

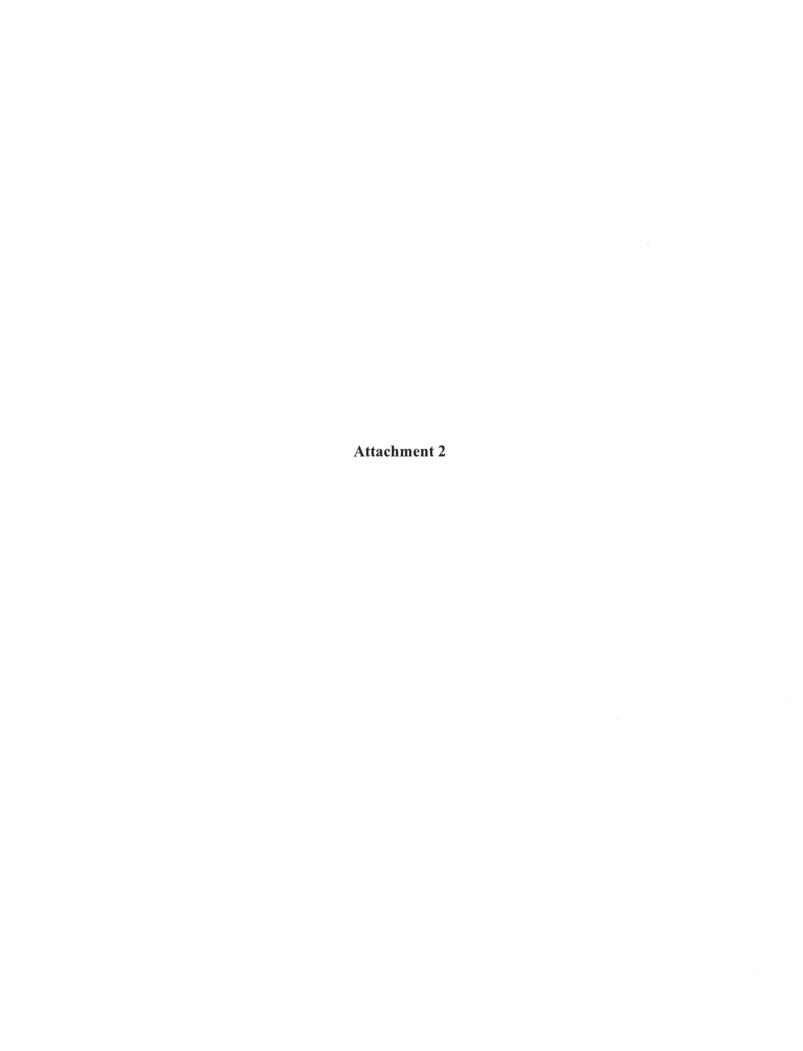
10:00 a.m.

ITEMS

- 1. Consideration of minutes of meeting held on October 17, 2008**
- 2. Discussion of Draft Unified Strategic Plan
- 3. Other business

^{*} The Agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov, under EMC Information and Calendar of Events.

^{**} The minutes for this meeting will be available on the ADEM website under EMC Information.



BEFORE THE STRATEGIC PLANNING AD HOC COMMITTEE OF THE ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

MOTION

Recommen	d to t	he Com	mission	that	they proce	eed
with the	adopt	ion of	the Un	ified	Strategic	Plan
	7					

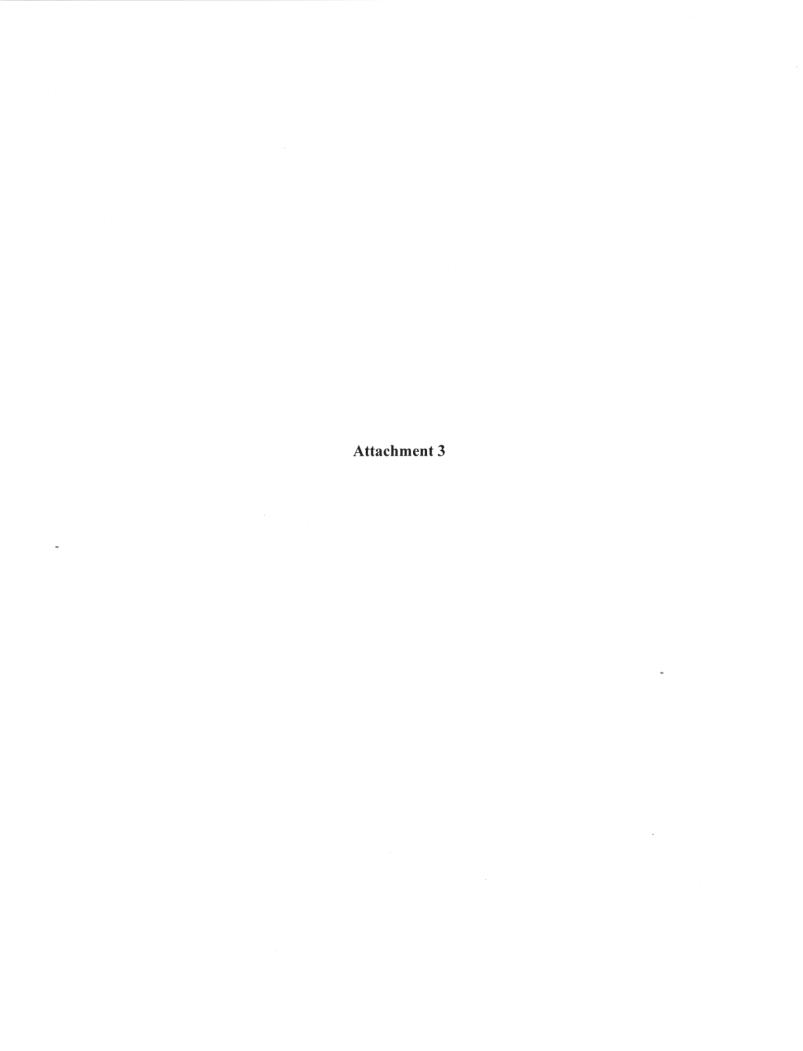
ORDER

This cause having come before the Strategic Planning Ad Hoc Committee pursuant to the above motion, and having considered the same, the Committee hereby ORDERS, ADJUDGES, and DECREES as follows:

- 1. That the above motion is hereby adopted; and
- 2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

ISSUED this 12th day of December 2008.

APPROVED:
Day tee levelt
Committee Member
John Techn
Committee Member
Committee Member



BEFORE THE STRATEGIC PLANNING AD HOC COMMITTEE OF THE ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

MOTION

The Strategic Planning Ad Hoc Committee Endorses
the Strategic Plan Rollout Plan as Presented by
the Director

ORDER

This cause having come before the Strategic Planning Ad Hoc Committee pursuant to the above motion, and having considered the same, the Committee hereby ORDERS, ADJUDGES, and DECREES as follows:

- 1. That the above motion is hereby adopted; and
- 2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

ISSUED this 12th day of December 2008.

APPROVED:	efler	end	17
John Fle	to		
Committee Member			
Committee Member			